

United States District Court

for the

Southern District of Texas

UNITED STATES OF AMERICA)

V.)

Maria Del Rosario Lopez-Mata) Case Number:

Jose Guadalupe Arauza-Banda)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 2, 2018 in the county of Webb in the
 (Date)
Southern District of Texas, the defendant(s) violated:

*Code Section**Offense Description*Title 8 United States Code, Section
1324

Did knowingly or in reckless disregard of the fact that an alien has come to, entered, or remained in the United States in violation of law, concealed, harbored, or shield from detection, or attempted to conceal, harbor, or shield from detection, such alien in any place, including any building or any means of transportation. The defendants conspired with each other and others to harbor the aforementioned aliens.

This criminal complaint is based on these facts:

See attachment "A".



Continued on the attached sheet.

/s/Matt Rosselot

Complainant's Signature

Matt Rosselot, HSI Special Agent

Printed Name and Title

Sworn to before me and signed in my presence,

Date: July 5, 2018Judge's SignatureCity and State: Laredo, TexasDiana Song Quiroga, U.S. Magistrate Judge

Printed Name and Title

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Attachment "A"

On July 2, 2018, Homeland Security Investigations (HSI) Laredo received a request for investigative assistance from the Laredo South U.S. Border Patrol Station (LRS) in Laredo, Texas. HSI special agents (SAs) responded and interviewed border patrol agents (BPAs) who stated the following:

BPAs received information concerning a possible stash house located in the 400 block of East Montgomery Street in Laredo, Texas. BPAs conducted surveillance on the residence and observed a vehicle arrive at the residence. A subject later identified as Jose Guadalupe ARAUZA-Banda, hereinafter referred to as ARAUZA, and an unidentified male subject exited the property, got into the vehicle, and departed. BPAs followed the vehicle until it returned to the residence.

An HSI SA interviewed a Webb County Sheriff's Office (WCSO) Deputy who stated the following: he observed the vehicle stop in front of the residence for a couple seconds and drive away. The Deputy observed the driver of the vehicle commit a traffic violation for which he conducted a traffic stop. The Deputy asked the driver if the house they stopped at was his. The driver said it was ARAUZA's house. ARAUZA said the house was his. The Deputy asked ARAUZA for consent to search the house. ARAUZA consented.

The Deputy and ARAUZA returned to the residence. A female later identified as Maria Del Rosario LOPEZ-Mata, hereinafter referred to as LOPEZ, walked out front and spoke to the Deputy. The Deputy stated he told LOPEZ he had received consent to search the house and LOPEZ said oh, okay. WCSO deputies and BPAs conducted a search of the house and found four (4) subjects later determined to be undocumented aliens (UDAs). BPAs conducted a search of a recreational vehicle (RV) parked several feet from the house and found six (6) additional subjects later determined to be UDAs. LOPEZ was determined to be a UDA, and citizen of Mexico.

The driver, ARAUZA, and a third male passenger were later determined to be UDAs. The fourth passenger, a female, was later determined to be a United States Citizen (USC), uninvolved in the smuggling event, and was released by BPAs. In total eleven (11) UDAs were determined to be part of the smuggling event, six (6) citizens of Guatemala and five (5) citizens of Mexico.

At the USBP station, HSI SAs advised LOPEZ of her Miranda Warnings, to which she waived and agreed to talk to HSI SAs without a lawyer present. LOPEZ stated she was the owner of the house and RV but rented the RV to ARAUZA. LOPEZ stated she told the WCSO Deputy they could go inside the house and search whatever they want. LOPEZ stated between June 29-30, 2018, ARAUZA transported a group of five UDAs to a different stash house. On July 01, 2018, he went to pick them up but police were in the area so he left. LOPEZ stated she then received a call from one of those UDAs who requested to be picked up and stated their families may pay her some money if she did so. LOPEZ stated she picked up those five (5) UDAs transported them to her house. LOPEZ stated she was aware they were UDAs and that they were all Mexican. LOPEZ stated ARAUZA was involved in transporting and harboring UDAs. LOPEZ stated ARAUZA was going to pay her one-hundred dollars (\$100) per UDA once he transported them to Houston.

At the USBP station, HSI SAs advised ARAUZA of his Miranda Warnings, to which he waived and agreed to talk to HSI SAs without a lawyer present. ARAUZA stated he has been staying on the property for the last fifteen (15) to eighteen (18) days. ARAUZA stated he first stayed in the RV then stayed in the attic of the house. ARAUZA stated he assisted LOPEZ with caretaking of the property and the UDAs. ARAUZA stated he was aware that the

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individuals were UDAs. ARAUZA stated he was responsible for opening and closing the gates when LOPEZ arrived at the property with UDAs. ARAUZA stated he picked up food for the UDAs at LOPEZ's direction and ran errands for LOPEZ. ARAUZA stated he cooked for the UDAs. ARAUZA stated he previously assisted guides in the smuggling organization with transporting UDAs to San Antonio and Houston and usually received five-hundred to eight-hundred dollars (\$500-800) for doing so. ARAUZA stated on this occasion he was waiting for a guide to arrive so that he could assist him with transporting the UDAs to Houston. ARAUZA stated LOPEZ was in charge of the stash house.

HSI SAs interviewed material witnesses Francisco CAJTUNAJ-Tzep and Edwin Edilfonso ALVARADO-Monzon both citizens of Guatemala. CAJTUNAJ and ALVARADO both stated they illegally entered the U.S. by swimming across the Rio Grande River. CAJTUNAJ stated his mother paid an unknown amount of money in smuggling fees to members of an HSO to be smuggled to Houston, Texas. ALVARADO stated he paid fifty-thousand (50,000) Quetzales to be smuggled to Houston, Texas. CAJTUNAJ and ALVARADO both identified LOPEZ from a six-person photographic lineup as a person responsible for feeding them. CAJTUNAJ and ALVARADO stated ARAUZA was present and moved about freely on the property. CAJTUNAJ and ALVARADO both stated they were staying in the RV and did not stay in the house.